

REMARKS

This is in response to the Office Action of September 24, 2009. Applicant gratefully acknowledges the indication that this application contains allowable subject matter. Specifically, the Examiner kindly indicated on page 5 of the Office Action that claims 1-9, 11, 15, and 17 would be allowable if amended rewritten to overcome the rejections under the second paragraph of 35 U.S.C. 112. The specification is amended to delete a reference to claim 1, to correct grammatical errors including those noted by the Examiner, and to place drawing reference characters after the elements to which they refer. Claims 10, 12-14, 16, and 18-29 are cancelled, without prejudice. The remaining claims are amended to overcome rejections under the second paragraph of 35 U.S.C. 112. These are non-narrowing amendments. The foregoing clarifying amendments having been made, claims 1-9, 11, 15, and 17 are rewritten as – respectively – new claims 30-41. The reference characters are omitted in the rewritten claims, and the form of the claims is changed somewhat to better conform to U.S. practice. No new matter is introduced by this Amendment. Claims 30-41 are now pending in the application.

Objection to claim 4

Objection was raised to claim 4 as allegedly omitting necessary commas. Office Action, page 2. The following explanation of claim 4 (now claim 33) will facilitate understanding of the claimed subject matter: As pointed out in the first full paragraph on page 6 of the specification, the inflowing supply water (12) pushes the floating valve (6) upwards, which closes the fill valve (4). If after that, greywater (11) flows into the tank, the floating ball can no longer rise upwards. It is respectfully submitted, therefore, that claim 33 (formerly claim 4) in its current form accurately describes Applicant's invention.

Objections to specification

Objection was raised to the specification. Office Action, page 2. Applicant has complied with the Examiner's requests in this regard. Attention is being given to the Examiner's request for a copy of the Ballai and Marton publication.

Objection to drawings

The Examiner indicated that the subject matter of claims 10, 12-14, 16, and 18-29 must be illustrated in the drawings, or the features must be cancelled from the claims. Claims 10, 12-14, 16, and 18-29 have now been cancelled, thereby obviating the objection to the drawings.

Rejection under 35 U.S.C. 112, ¶ 1

Claims 10, 12-14, 16, and 18-29 were rejected as failing to comply with the written description requirement. Office Action, page 4. These claims have now been cancelled, thereby obviating this ground of rejection.

Rejection under 35 U.S.C. 112, ¶ 2

Claims 1-29 were rejected as failing to define the invention properly. Office Action, pages 4-5. It is respectfully submitted that claims 30-41 – which replace allowable claims 1-9, 11, 15, and 17 – overcome the rejections stated by the Examiner in this regard.

Conclusion

All of the rejections and objections of record being addressed in the foregoing amendments and remarks, passage of this application to Issue is earnestly solicited.

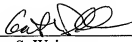
Contact information

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Richard Gallagher (Reg. No. 28,781) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Dated: March 24, 2010

Respectfully submitted,

By 
rcs Marc S. Weiner **GARTH M. DAHLEN**
Registration No.: 32,181 **USPTO #43,575**
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Rd
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant